

**U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:17-cv-01451-LAB-MDD**

Wright v. U.S. Department of Justice et al
Assigned to: Judge Larry Alan Burns
Referred to: Magistrate Judge Mitchell D. Dembin
Cause: 05:0552fi Freedom of Information Act

Date Filed: 07/18/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Roderic Mack Wright

represented by **Jennifer J Hasso–Najm**
Law Offices of Jennifer J Hasso–Najm
2765 Second Avenue
San Diego, CA 92103
(619)232–2765
Fax: (619)232–4485
Email: jhasso@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. Department of Justice

represented by **U S Attorney CV**
U S Attorneys Office Southern District of
California
Civil Division
880 Front Street
Suite 6253
San Diego, CA 92101
(619)557–5662
Fax: (619)557–7122
Email: Efile.dkt.civ@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rebecca Grace Church
United States Attorney's Office
Southern District of California
880 Front Street
Room 6293
San Diego, CA 92101
(619) 546–7721
Email: rebecca.church@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ryan O. McMonagle
United States Department of Justice, Tax
Division
P.O. Box 227
Ben Franklin Station
Washington, DC 20044
202–307–1355
Fax: 202–514–6866
Email: ryan.mcmonagle@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. Department of the Treasury

represented by **U S Attorney CV**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ryan O. McMonagle
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rebecca Grace Church
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/18/2017	<u>1</u>	COMPLAINT against U.S. Department of Justice, U.S. Department of the Treasury (Filing fee \$ 400 receipt number 0974-10258411.), filed by Roderic Mack Wright. (Attachments: # <u>1</u> Civil Case Cover Sheet, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3) The new case number is 3:17-cv-01451-LAB-MDD. Judge Larry Alan Burns and Magistrate Judge Mitchell D. Dembin are assigned to the case. (Hasso-Najm, Jennifer J)(anh). (jao). (Entered: 07/18/2017)
07/18/2017	<u>2</u>	Summons Issued. Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. (anh) (jao). (Entered: 07/18/2017)
12/15/2017	<u>3</u>	ORDER TO SHOW CAUSE. Order to Show Cause Brief due by 12/20/2017. Signed by Judge Larry Alan Burns on 12/15/2017.(acc) (Entered: 12/15/2017)
12/18/2017	<u>4</u>	MOTION for Extension of Time to Amend <i>for Service of Complaint</i> by Roderic Mack Wright. (Attachments: # <u>1</u> Declaration)(Hasso-Najm, Jennifer). QC Mail – Reminder to use "s/" signature (jdt). (Entered: 12/18/2017)
12/21/2017	<u>5</u>	ORDER granting <u>4</u> Additional Time to Serve Complaint. The Court exercises its discretion to allow Wright to serve his complaint by 12/29/2017. If he doesn't, this action will be dismissed. Signed by Judge Larry Alan Burns on 12/20/2017. (jdt) (Entered: 12/21/2017)
12/28/2017	<u>6</u>	SUMMONS Returned Executed by Roderic Mack Wright. All Defendants served. (Attachments: # <u>1</u> Proof of Service, # <u>2</u> Proof of Service, # <u>3</u> Proof of Service, # <u>4</u> Proof of Service, # <u>5</u> Proof of Service, # <u>6</u> Proof of Service)(Hasso-Najm, Jennifer) (jdt). (Entered: 12/28/2017)
01/16/2018	<u>7</u>	Ex Parte MOTION for Extension of Time to File Answer <i>to Complaint</i> by U.S. Department of Justice, U.S. Department of the Treasury. (Attachments: # <u>1</u> Proof of Service)(Church, Rebecca)Attorney Rebecca Grace Church added to party U.S. Department of Justice(pty:dft), Attorney Rebecca Grace Church added to party U.S. Department of the Treasury(pty:dft) (jdt). Modified on 1/17/2018 to change event type (jdt). (Entered: 01/16/2018)
01/17/2018	<u>8</u>	ORDER granting <u>7</u> Motion for Extension of Time to Answer U.S. Department of Justice answer due 2/9/2018; U.S. Department of the Treasury answer due 2/9/2018. Signed by Judge Larry Alan Burns on 1/17/2018. (jdt) (Entered: 01/17/2018)
02/09/2018	<u>9</u>	ANSWER to <u>1</u> Complaint, by U.S. Department of Justice. (Attachments: # <u>1</u> Proof of Service)(Church, Rebecca) (jdt). (Entered: 02/09/2018)
02/09/2018	<u>10</u>	ANSWER to <u>1</u> Complaint, by U.S. Department of the Treasury.(McMonagle, Ryan)Attorney Ryan O. McMonagle added to party U.S. Department of the Treasury(pty:dft) (jdt). (Entered: 02/09/2018)
03/12/2018	<u>11</u>	NOTICE AND ORDER for Early Neutral Evaluation and Case Management Conference. An Early Neutral Evaluation and Case Management Conference will be held on 4/9/2018 at 9:30 AM in the Chambers of Magistrate Judge Mitchell D.

		Dembin. Signed by Magistrate Judge Mitchell D. Dembin on 3/12/2018.(jdt) (Entered: 03/13/2018)
03/26/2018	12	ORDER: On the Court's own motion, the parties and/or party representatives are excused from appearing at the Early Neutral Evaluation/Case Management Conference currently scheduled for April 9, 2018. <u>11</u> . Only counsel are required to personally appear. Signed by Magistrate Judge Mitchell D. Dembin on 03/26/2018.(no document attached) (atk) (Entered: 03/26/2018)
04/02/2018	<u>13</u>	Ex Parte MOTION Department of Treasury to Appear by Phone at ENE by U.S. Department of Justice, U.S. Department of the Treasury. (Attachments: # <u>1</u> Proof of Service)(Church, Rebecca) (jdt). (Entered: 04/02/2018)
04/03/2018	14	ORDER granting <u>13</u> Department of the Treasury's Motion for Telephonic Appearance at the Early Neutral Evaluation Conference. The Court finds good cause to allow counsel for the Department of the Treasury to participate telephonically at the ENE Conference. Counsel for the Department of the Treasury must send an email with a phone number where counsel can be reached to efile_dembin@casd.uscourts.gov not later than April 6, 2018. Signed by Magistrate Judge Mitchell D. Dembin on 04/03/2018. (no document attached) (atk) (Entered: 04/03/2018)
04/05/2018	<u>15</u>	Ex Parte MOTION to Continue <i>Early Neutral Evaluation (ENE) and Case Management Conference</i> by Plaintiff Roderic Mack Wright. (Hasso–Najm, Jennifer). QC mail – wrong event selected. Modified on 4/6/2018 to change to motion and correct docket type (jdt). (Entered: 04/05/2018)
04/08/2018	16	ORDER granting in part and denying in part <u>15</u> Ex Parte Motion to Continue Early Neutral Evaluation/Case Management Conference: The Court declines to continue the ENE/CMC beyond April 9, 2018, rather, the ENE/CMC will be converted to a TELEPHONIC ATTORNEYS ONLY conference and will be moved from the Court's morning calendar to the afternoon calendar at 2:45PM. Counsel are ordered to use the dial-in information filed as a separate notice to access the Court's teleconference service. (The teleconference information sheet can be accessed through ECF using the login information assigned to an attorney of record in the case and then selecting the report option. On the next screen, the docket sheet option should be selected, prompting the user for a PACER login (assigned to the attorney of record). Once the PACER login is completed, the case number can be entered which will display the docket sheet for the case and allow the user to open the teleconference information sheet.). Signed by Magistrate Judge Mitchell D. Dembin on 04/08/2018. (no document attached) (atk) (Entered: 04/08/2018)
04/08/2018	<u>17</u>	NOTICE of Teleconference Information Sheet. Teleconference set for 04/09/2018 at 2:45PM. (atk) (Entered: 04/08/2018)
04/09/2018	18	Minute Entry for proceedings held before Magistrate Judge Mitchell D. Dembin: A telephonic Early Neutral Evaluation/Case Management Conference was held on 4/9/2018. Order to follow.(Plaintiff Attorney: Jennifer Hasso–Najm). (Defendant Attorneys: Rebecca Church, Dept of Justice; Ryan McMonagle, Dept of Treasury). (no document attached) (atk) (Entered: 04/09/2018)
04/11/2018	19	ORDER: The ENE/CMC was held April 9, 2018. Accordingly, the deadline to file summary judgment motions is August 31, 2018. No discovery is authorized at this time. Signed by Magistrate Judge Mitchell D. Dembin on 04/11/2018.(no document attached) (atk) (Entered: 04/11/2018)
08/31/2018	<u>20</u>	MOTION for Summary Judgment <i>on Plaintiff's Complaint for Injunctive and Declaratory Relief</i> by U.S. Department of Justice. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration Kornmeier, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Declaration Hardy, # <u>9</u> Exhibit A, # <u>10</u> Exhibit B, # <u>11</u> Exhibit C, # <u>12</u> Exhibit D, # <u>13</u> Exhibit E, # <u>14</u> Exhibit F, # <u>15</u> Exhibit G, # <u>16</u> Exhibit H, # <u>17</u> Exhibit I, # <u>18</u> Exhibit J, # <u>19</u> Exhibit K, # <u>20</u> Exhibit L, # <u>21</u> Proof of Service)(Church, Rebecca) (jdt). (Entered: 08/31/2018)
08/31/2018	<u>21</u>	MOTION for Summary Judgment <i>of the Department of Justice, Tax Division</i> by U.S. Department of Justice. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration of Carmen M. Banerjee, # <u>3</u> Declaration of Christopher P. Valvardi, # <u>4</u> Exhibit A to Declaration of Christopher P. Valvardi, # <u>5</u> Exhibit B o Declaration of

		Christopher P. Valvardi)(McMonagle, Ryan)Attorney Ryan O. McMonagle added to party U.S. Department of Justice(pty:dft) (jdt). (Entered: 08/31/2018)
08/31/2018	<u>22</u>	MOTION for Summary Judgment by U.S. Department of the Treasury. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration of Ryan Law, # <u>3</u> Exhibit A to Declaration of Ryan Law)(McMonagle, Ryan) (jdt). (Entered: 08/31/2018)
10/19/2018	<u>23</u>	Ex Parte MOTION for Extension of Time to File Response/Reply <i>summary judgment motion</i> by Roderic Mack Wright. (Attachments: # <u>1</u> Declaration)(Hasso–Najm, Jennifer) Modified on 10/22/2018 – QC Mail: Missing proof of service. Instructed to file proof of service separately. Reminder to registered user to use "s/" (jdt). (Entered: 10/19/2018)
10/19/2018	<u>24</u>	ORDER granting <u>23</u> Motion for Extension of Time to File Response/Reply re <u>21</u> MOTION for Summary Judgment of the <i>Department of Justice, Tax Division</i> , <u>22</u> MOTION for Summary Judgment , <u>20</u> MOTION for Summary Judgment on Plaintiff's <i>Complaint for Injunctive and Declaratory Relief</i> Responses due by 12/3/2018 Replies due by 12/10/2018. Hearings on Defendants' Motions for Summary Judgment set for 12/17/2018 11:30 AM in Courtroom 14A before Judge Larry Alan Burns.. Signed by Judge Larry Alan Burns on 10–19–2018. (ceh) (Entered: 10/19/2018)
10/22/2018	<u>25</u>	CERTIFICATE OF SERVICE by Roderic Mack Wright re <u>23</u> Ex Parte MOTION for Extension of Time to File Response/Reply <i>summary judgment motion</i> (Hasso–Najm, Jennifer) (jdt). (Entered: 10/22/2018)
12/03/2018	<u>26</u>	Ex Parte MOTION to Continue <i>DEADLINES TO OPPOSE & REPLY TO A SUMMARY JUDGMENT MOTION</i> by Roderic Mack Wright. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit)(Hasso–Najm, Jennifer) (jdt). (Entered: 12/03/2018)
12/03/2018	<u>27</u>	ORDER Granting Extension (Dkt. <u>26</u>). Plaintiff's opposition is due 12/5/2018. Defendants' replies are due 12/12/2018. Signed by Judge Larry Alan Burns on 12/3/2018. (jdt) (Entered: 12/03/2018)
12/05/2018	<u>28</u>	RESPONSE in Opposition re <u>21</u> MOTION for Summary Judgment of the <i>Department of Justice, Tax Division</i> , <u>22</u> MOTION for Summary Judgment , <u>20</u> MOTION for Summary Judgment on Plaintiff's <i>Complaint for Injunctive and Declaratory Relief</i> <i>OPPOSITIONS TO SJMS</i> filed by Roderic Mack Wright. (Attachments: # <u>1</u> Memo of Points and Authorities Opposition SJM Dept. of Justice Tax Division, # <u>2</u> Memo of Points and Authorities Opposition SJM Dept. of Treasury, # <u>3</u> Declaration Seth E. Wright, # <u>4</u> Declaration Roderic M. Wright, # <u>5</u> Notice of Lodgment, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit)(Hasso–Najm, Jennifer) (jdt). (Entered: 12/05/2018)